

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 6197 of 2007

GOPGAR & ORS.

V/S

CIVIL JUDGE (J.D.) KAPASAN & ANR.

Mr. FARZAND ALI, for the appellant / petitioner

Date of Order : 27.9.2007

HON'BLE SHRI N P GUPTA, J.

ORDER

Heard learned counsel for the petitioner.

Perused the impugned order.

In my view, the impugned order does not require any interference as the defendant's right to file written statement had been closed, and he had already cross examined plaintiff's witnesses. He obviously cannot claim a right to lead evidence in absence of pleading. The writ petition is, therefore, dismissed summarily.

(N P GUPTA), J.

/sushil/